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11 *Attorneys for Defendant*  
12 *Experian Information Solutions, Inc.*

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JULIA A. KELLY, an individual

Plaintiff,

v.

BANK OF AMERICA, NATIONAL  
ASSOCIATION; SELECT PORTFOLIO  
SERVICING, INC.; CHASE MORTGAGE  
SERVICES, INC.; EQUIFAX  
INFORMATION SERVICES, LLC;  
EXPERIAN INFORMATION SOLUTIONS,  
INC.,

Defendants.

Case No. 2:16-cv-00598-JCM-VCF

**STIPULATED PROTECTIVE ORDER**

Complaint filed: March 17, 2016

IT IS HEREBY STIPULATED by and between Plaintiff Julia A. Kelly (“Plaintiff”) and Defendant Experian Information Solutions, Inc. (“Experian”), through their respective attorneys of record, as follows:

WHEREAS, documents and information have been and may be sought, produced or exhibited by and among the parties to this action relating to trade secrets, confidential research, development, technology or other proprietary information belonging to the defendants, and/or personal income, credit and other confidential information of Plaintiff.

1           THEREFORE, an Order of this Court protecting such confidential information shall be  
 2 and hereby is made by this Court on the following terms:

3           1.       This Order shall govern the use, handling and disclosure of all documents,  
 4 testimony or information produced or given in this action which are designated to be subject to  
 5 this Order in accordance with the terms hereof.

6           2.       Any party or non-party producing or filing documents or other materials in this  
 7 action may designate such materials and the information contained therein subject to this Order  
 8 by typing or stamping on the front of the document, or on the portion(s) of the document for  
 9 which confidential treatment is designated, "Confidential."

10          3.       To the extent any motions, briefs, pleadings, deposition transcripts, or other papers  
 11 to be filed with the Court incorporate documents or information subject to this Order, the party  
 12 filing such papers shall designate such materials, or portions thereof, as "Confidential," and shall  
 13 file them with the clerk under seal; provided, however, that a copy of such filing having the  
 14 confidential information deleted therefrom may be made part of the public record. Any party  
 15 filing any document under seal must comply with the requirements of LR IA 10-5.

16          4.       All documents, transcripts, or other materials subject to this Order, and all  
 17 information derived therefrom (including, but not limited to, all testimony given in a deposition,  
 18 declaration or otherwise, that refers, reflects or otherwise discusses any information designated  
 19 "Confidential," shall not be used, directly or indirectly, by any person, including the other  
 20 defendants, for any business, commercial or competitive purposes or for any purpose whatsoever  
 21 other than solely for the preparation and trial of this action in accordance with the provisions of  
 22 this Order.

23          5.       Except with the prior written consent of the individual or entity designating a  
 24 document or portions of a document as "Confidential," or pursuant to prior Order after notice, any  
 25 document, transcript or pleading given "Confidential" treatment under this Order, and any  
 26 information contained in, or derived from any such materials (including but not limited to, all  
 27 deposition testimony that refers to, reflects or otherwise discusses any information designated  
 28 "Confidential" hereunder) may not be disclosed other than in accordance with this Order and may

1 not be disclosed to any person other than: (a) the Court and its officers; (b) parties to this  
 2 litigation; (c) counsel for the parties, whether retained outside counsel or in-house counsel and  
 3 employees of counsel assigned to assist such counsel in the preparation of this litigation; (d) fact  
 4 witnesses subject to a proffer to the Court or a stipulation of the parties that such witnesses need  
 5 to know such information; (e) present or former employees of the Producing Party in connection  
 6 with their depositions in this action (provided that no former employees shall be shown  
 7 documents prepared after the date of his or her departure); and (f) experts specifically retained as  
 8 consultants or expert witnesses in connection with this litigation.

9       6. Documents produced pursuant to this Order shall not be made available to any  
 10 person designated in Subparagraph 5(f) unless he or she shall have first read this Order, agreed to  
 11 be bound by its terms, and signed the attached Declaration of Compliance.

12       7. All persons receiving any or all documents produced pursuant to this Order shall  
 13 be advised of their confidential nature. All persons to whom confidential information and/or  
 14 documents are disclosed are hereby enjoined from disclosing same to any person except as  
 15 provided herein, and are further enjoined from using same except in the preparation for and trial  
 16 of the above-captioned action between the named parties thereto. No person receiving or  
 17 reviewing such confidential documents, information or transcript shall disseminate or disclose  
 18 them to any person other than those described above in Paragraph 5 and for the purposes  
 19 specified, and in no event shall such person make any other use of such document or transcript.

20       8. Nothing in this Order shall prevent a party from using at trial any information or  
 21 materials designated "Confidential."

22       9. This Order has been agreed to by the parties to facilitate discovery and the  
 23 production of relevant evidence in this action. Neither the entry of this Order, nor the designation  
 24 of any information, document, or the like as "Confidential," nor the failure to make such  
 25 designation, shall constitute evidence with respect to any issue in this action.

26       10. Within sixty (60) days after the final termination of this litigation, all documents,  
 27 transcripts, or other materials afforded confidential treatment pursuant to this Order, including  
 28 any extracts, summaries or compilations taken therefrom, but excluding any materials which in

1 the good faith judgment of counsel are work product materials, shall be returned to the Producing  
 2 Party.

3       11. In the event that any party to this litigation disagrees at any point in these  
 4 proceedings with any designation made under this Protective Order, the parties shall first try to  
 5 resolve such dispute in good faith on an informal basis in accordance with Civil Local Rule 26-7.  
 6 If the dispute cannot be resolved, the party objecting to the designation may seek appropriate  
 7 relief from this Court. During the pendency of any challenge to the designation of a document or  
 8 information, the designated document or information shall continue to be treated as  
 9 "Confidential" subject to the provisions of this Protective Order.

10       12. Nothing herein shall affect or restrict the rights of any party with respect to its own  
 11 documents or to the information obtained or developed independently of documents, transcripts  
 12 and materials afforded confidential treatment pursuant to this Order.

13       13. The Court retains the right to allow disclosure of any subject covered by this  
 14 stipulation or to modify this stipulation at any time in the interest of justice.

15                   DATED this 29th day of August 2016.

16 HAINES & KRIEGER, LLC

17                   SNELL & WILMER, LLP

18 By: /s/ David Krieger

19                   David Krieger (NV Bar No. 9086)  
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25                   Attorneys for Plaintiff Julia A. Kelly

26 By: /s/ Bob L. Olson

27                   Bob L. Olson (NV Bar No. 3783)  
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34                   Attorneys for Defendant Experian Information  
 35                   Solutions, Inc.

36                   **ORDER**

37                   **IT IS SO ORDERED.**



38                   U.S. MAGISTRATE JUDGE

39                   DATED this 30th day of August, 2016.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2016, I electronically filed the foregoing **STIPULATED PROTECTIVE ORDER** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 29th day of August, 2016.

/s/ Jill Math  
An Employee of Snell & Wilmer L.L.P.

**Snell & Wilmer** LLP LAW OFFICES  
3883 Howard Hughes Parkway, Suite  
Las Vegas, Nevada 89169  
702.784.5200

# EXHIBIT A

# EXHIBIT A

## EXHIBIT A

## DECLARATION OF COMPLIANCE

I, \_\_\_\_\_, declare as follows:

1. My address is \_\_\_\_\_.

2. My present employer is \_\_\_\_\_.

3. My present occupation or job description is \_\_\_\_\_.

4 I have received a copy of the Stipulated Protective Order entered in this action on  
\_\_\_\_\_, 20\_\_\_.

5. I have carefully read and understand the provisions of this Stipulated Protective Order.

6. I will comply with all provisions of this Stipulated Protective Order.

7. I will hold in confidence, and will not disclose to anyone not qualified under the Stipulated Protective Order, any information, documents or other materials produced subject to this Stipulated Protective Order.

8. I will use such information, documents or other materials produced subject to this Stipulated Protective Order only for purposes of this present action.

9. Upon termination of this action, or upon request, I will return and deliver all information, documents or other materials produced subject to this Stipulated Protective Order, and all documents or things which I have prepared relating to the information, documents or other materials that are subject to the Stipulated Protective Order, to my counsel in this action, or to counsel for the party by whom I am employed or retained or from whom I received the documents.

10. I hereby submit to the jurisdiction of this Court for the purposes of enforcing the  
Stipulated Protective Order in this action.

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I declare under penalty of perjury under the laws of the United States that the following is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_.

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## QUALIFIED PERSON

**Snell & Wilmer** LLP LAW OFFICES  
3883 Howard Hughes Parkway, Suite  
Las Vegas, Nevada 89169  
702.784.5200